

IN THE UNITED STATES PATENT OFFICE

Title: AEROSOL ACTUATOR
Inventors: Patrick Timothy Yerby, Gerald J. Marquardt,
Craig Braun & Jonathan D. Werner
Serial No:
Filed: concurrently herewith

JOINT DECLARATION ACCOMPANYING PATENT APPLICATION

As the below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled above and as set forth in the above-identified specification.

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims and drawings.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a) and further acknowledge the duty to disclose material information as defined in §1.56(a) which occurred between the filing date of the prior application and the national filing date of the continuation-in-part application, in accordance with Title 37, Code of Federal Regulations, Section 1.63(d).

We hereby declare that we do not know and do not believe that the same was ever known or used in the United States of America before our invention thereof, or patented or described in any printed publication in any country before our invention thereof, or more than one year before the date of said application, or in public use or on sale in the United States of America more than one year before the date of said application, that said invention had not been patented or made the subject of any inventor's certificate issued before the date of said application in any country foreign to the United States of America on any application filed by us or our legal representatives or assigns more than twelve months prior to said application in the United States of America, and has not been abandoned.

We hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

Title: AEROSOL ACTUATOR
Serial No: 60/451,724
Filing Date: March 3, 2003
Status: pending

POWER OF ATTORNEY

We hereby appoint Robert F. Frijouf, Registration No. 26,546 and David A. Frijouf, Registration No. 50,422, all members of the bar of the State of Florida and having a mailing address of 201 East Davis Boulevard, Tampa, Florida 33606, telephone 813.254.5100, facsimile 813.254.5400 and email frijouf@frijouf.com as our attorneys, with full power of substitution and revocation to prosecute this application, to make alterations and amendments thereto, to receive the patent, and to transact all business in the United States Patent and Trademark Office connected therewith.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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